

A-5918
Variance

To replace an existing stockade fence measuring six (6) feet in height and approximately sixty-eight (68) feet in length located in the west (front) yard with a wrought iron fence and to install a gate and an additional new segment of iron fence measuring approximately twenty seven (27) feet in length from the southern end of the gate and then turning at a right angle to the east and measuring fifteen (15) feet in length to connect to the wall of the house.

Kara M. Bombach &
Thomas G. Southard
5600 Western Avenue

5600 Western Avenue



Figure 1: View of 5600 Western Avenue



Figure 2: View of existing wood fence to be replaced with new 6' iron fence and steps to have gate.



Figure 3: View to where proposed new iron fence will return to house (see plan).

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 16th day of May, 2011 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5918
KARA M. BOMBACH &
THOMAS G. SOUTHARD
5600 WESTERN AVENUE
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-11 of the Chevy Chase Village Building Code to replace an existing stockade fence measuring six (6) feet in height and approximately sixty-eight (68) feet in length located in the west (front) yard with a wrought iron fence and to install a gate and an additional new segment of iron fence measuring approximately twenty seven (27) feet in length from the southern end of the gate and then turning at a right angle to the east and measuring fifteen (15) feet in length to connect to the wall of the house.

The Chevy Chase Village Code § 8-22 (f) states:

No person shall construct any fence or wall which exceeds forty-eight (48) inches in height at any location between the front lot line and the front building restriction line.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 6th day of May, 2011.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

MAILING LIST FOR APPEAL A-5918

**MS. KARA M. BOMBACH &
MR. THOMAS G. SOUTHARD
5600 WESTERN AVENUE
CHEVY CHASE, MD 20815**

Adjoining and confronting property owners	
Ms. Ann-Marie Lynch & Mr. David M. Glass Or Current Resident 5500 Cedar Parkway Chevy Chase, MD 20815	Ms. Maureen Browne & Mr. Michael Byars Or Current Resident 5510 Cedar Parkway Chevy Chase, MD 20815
Mr. & Mrs. Gary Cohen Or Current Resident 5511 Cedar Parkway Chevy Chase, MD 20815	Mr. & Mrs. Tom A. Holmvik Or Current Resident 5604 Western Avenue Chevy Chase, MD 20815



I hereby certify that a public notice was mailed to the aforementioned property owners on the 6th day of May, 2011.

**Ellen Sands, Permitting & Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**



May 6, 2011

Ms. Kara M. Bombach &
Mr. Thomas G. Southard
5600 Western Avenue
Chevy Chase, MD 20815

Dear Ms. Bombach & Mr. Southard:

Please note that your request for a variance replace the existing wood fence with an iron fence and add a new segment of iron fence in the west (front) yard is scheduled before the Board of Managers on Monday, May 16, 2011 at 7:30 p.m.

Either you or a representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of your request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting & Code Enforcement Coordinator
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE

5906 Connecticut Avenue
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

SHANA R. DAVIS-COOK
Village Manager

DAVID R. PODOLSKY
Legal Counsel

BOARD OF MANAGERS

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Assistant Secretary

GAIL S. FELDMAN
Treasurer

LAWRENCE C. HEILMAN
Assistant Treasurer

PATRICIA S. BAPTISTE
Board Member

**Chevy Chase Village
Building Permit Application
for Fences & Walls**

Permit No: A-5918

Property Address:

5600 Western Avenue

Resident Name:

Thomas Southard & Kara Bombach

Daytime telephone:

Cell phone:

After-hours telephone:

E-mail:

TSOUTHARD@shulmanrogers.com

Primary Contact for Project:

☒ Resident

☐ Architect

☐ Project Manager

☐ Contractor*

*MHIC/MD Contractor's License No. (required):

Primary Contact Information:

Name:

Daytime telephone:

After-hours telephone:

E-mail:

Description of Fence or Wall Project:

6' Fence, 27' in length along property line abutting Cedar Parkway, an 16' in length between front property line and west wall of house and 4' in height section as shown on drawing

Check appropriate box:

☐ Fence or wall to be constructed is: (1) new, (2) an enlargement of an existing fence or wall, or (3) replacing an existing fence or wall with one of a different kind.

☐ Fence or wall to be constructed is replacing an existing fence or wall with the same kind and in the same location.

Parking Compliance:

Is adequate on-site parking available for the construction crews?

☒ Yes

☐ No

If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons?

☐ Yes

☒ No

To be completed by Village staff:

Is this property within the historic district?

Yes ☐

No ☒

Staff Initials: RS

Date application filed with Village: 4/26/11

Date permit issued: _____

Expiration date: _____

Guidelines for Building, Replacing and Maintaining Fences and Walls

Sec. 8-22 of the Village Code regulates fences and walls. To repair or maintain an existing fence or wall, the Village does not require a building permit. To install or replace a fence or wall, however, residents will need a Village building permit. (A building permit may also be required from Montgomery County, including the Historic Preservation Commission if the property is within the Historic District). Village Code allows fences and walls to be installed on a resident's property lines, inside the property lines on private property, and sometimes in the public right-of-way.

When placed on the property lines or on private property, the Village Code regulates fence and wall heights in two ways:

1. Fences and walls installed on private property anywhere between the property line and the front building restriction line may not exceed four feet (4') in height.
2. Fences and walls installed to the rear of the front building restriction line (that is, along the side and rear property lines or in the side and rear yards) may not exceed six and one half feet (6½') in height.

When measuring the height of a fence or wall, the Village Code provides that the "measurement shall be made from the surface of the ground of the lower yard next to the fence or wall" **to the highest point of the fence or wall** (such as the top of the posts, caps, decorative lattice, finials, etc.). For example, if a fence post is 6½ feet high, then a cap on that post would exceed the height limit.

Walls can sometimes change the flow of water on a property. In such cases, residents or contractors will need to include a drainage plan with the building application.

When installing a fence or wall in the Village's public right-of-way, in addition to obtaining a Village Building Permit, residents must sign a **License to Use the Public Right-of-Way**, which will be recorded with your deed (please contact the Village office for more information). Fences and walls installed in the Village's rights-of-way may not exceed four feet (4') in height. Fences in the Village's rights-of-way must be installed at least two feet (2') from the public sidewalk, or where there is no sidewalk, at least five feet (5') from the curb or nearest edge of the paved roadway. Walls in the Village's public rights-of-way must be installed at least three feet (3') from the public sidewalk, or where there is no sidewalk, six feet (6') from the curb or nearest edge of the paved roadway. The Village office will not issue permits for any fences or walls that block necessary sight lines at intersections or otherwise create a dangerous condition.

For all Village Code requirements, please see to Sections 8-4, 8-22, and 8-31.

**Building Permit Application for Fences and/or Walls:
Filing Requirements**

Application will not be reviewed until the application is complete

- ☒ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☒ This application form, signed by resident.
- ☐ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☒ Building plans and specifications
- NA ☒ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising any service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: _____

Date: _____

For Use By Village Manager	Application approved with the following conditions:
D E N I E D <div style="border: 1px solid black; padding: 5px; text-align: center;">APR 22 2001</div> Chevy Chase Village Manager	Application denied for the following reasons:
	Handwritten: Fence exceeds 4' in height forward of the 25' BRL.

Filing Fees (due when application submitted)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: <input checked="" type="checkbox"/> \$30.00 (if fence or wall is new, enlarged or replaced with different kind) <input type="checkbox"/> \$15.00 (if fence or wall is being replaced in-kind and in the same location)	
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <input checked="" type="checkbox"/> Not required for this project	
TOTAL Fees: <i>Check #534</i> <i>\$30.00</i>	Date: <i>4/29/11</i> Staff Signature: <i>Ellen Jals</i>
Damage Deposit/Performance Bond <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Staff Signature:

For Village Staff use:

Field file for inspections by Code Enforcement Officer has been created: ☐ Yes (Date: _____)

Chevy Chase Village

Application for a Variance

A variance is permission granted to a landowner to depart from the specific requirements of the Village zoning ordinance and allows a landowner to use land differently than specified in the ordinance. The variance is a written authorization from the Board of Managers permitting construction in a manner not otherwise allowed by the Village Code.

Subject Property:	5600 Weston Avenue	
Describe the Proposed Project:	fence for back & side yard.	
Applicant Name(s) (List all property owners):	Thomas G. Southard & Kara M. Bonbach	
Daytime telephone:	571-334-1423	Cell: 571-334-1423
E-mail:	TSOUTHARD@shulmanogers.com	
Address (if different from property address):		
For Village staff use:		
Date this form received:	4/26/11	Variance No: A-5918

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

- ☒ Completed Chevy Chase Village Application for a Variance (this form)
- ☒ Completed Chevy Chase Village Building Permit Application
- ☒ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants applicable to the property except for variances from Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code.
- ☒ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: _____

Date: 4/26/2011

Applicant's Signature: _____

Date: 4/26/2011

Describe the basis for the variance request (attach additional pages as needed).

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

The existing wood fence along Cedar Parkway is deteriorating & provides inadequate privacy for highly trafficked Cedar Pkwy & Western Ave. Cedar & Western are busiest streets in CV & we would like to ~~plant~~ enclose backyard to eliminate noise & reduce noise & cut-through pedestrian traffic from front yard to side of house facing Cedar Pkwy.

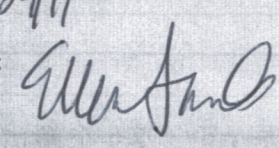
Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

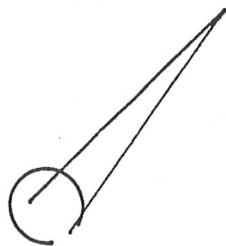
The special conditions require a fence 6' in height to provide noise barrier & privacy wall. Building regulations currently permit fences not to exceed 4'8" in height. Such height restriction would interfere with quiet enjoyment of our home given the high volume of traffic & foot & auto traffic on Cedar & Western.
* Fence also needed to allow family dog to roam backyard freely.
* There are currently no gates/fences securing property.

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

Owner plans to landscape & maintain fence & gate area in good condition & so as not to obstruct traffic or interfere with pedestrian right of way.

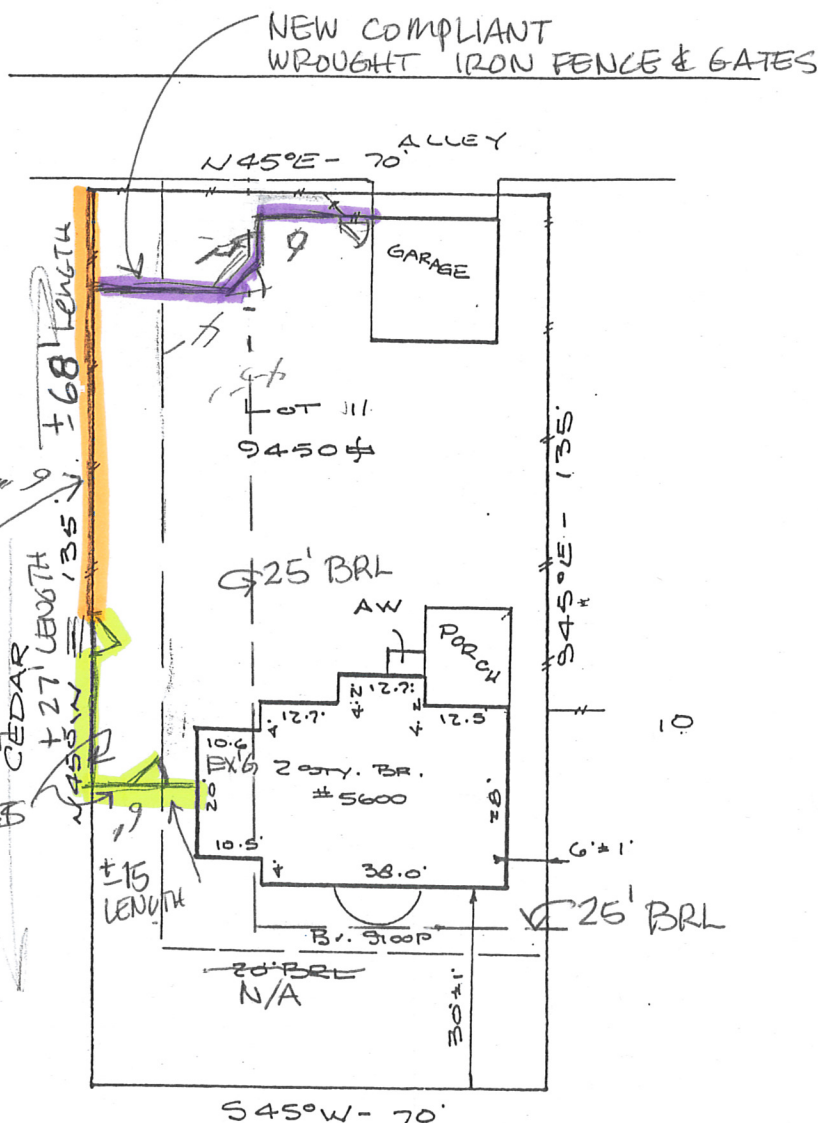
In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

<p>Variance Filing Fee</p>	<p>Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815</p>
<p>Per Village Code Sec. 6-2(a)(24):</p> <p><input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <input type="checkbox"/> Other: \$ _____</p> <p>Fee Paid: \$300. checks 534</p>	<p>Date Paid: 4/24/11</p> <p>Staff Signature: </p>



NEW 6' WROUGHT
IRON FENCE TO
REPLACE EX'G.
WOOD STOCKADE
FENCE

NEW 6' WROUGHT
IRON FENCE &
GATES



WESTERN AVENUE

No evidence of property corners was found. Apparent occupation is shown.

Date: 9-9-03 Scale: 1" = 30' Drn: SJW
Plat Book: 4 NOT TO SCALE
Plat No.: 312 NO TITLE REPORT FURNISHED
Work Order: 03-4429
Address: 5600 WESTERN AVENUE
District: 7
Jurisdiction: MONTGOMERY COUNTY, MD

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100-year flood plain according to FEMA insurance maps as interpreted by the originator unless otherwise shown hereon. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

LOCATION DRAWING
LOT 11 BLOCK 1
SECTION 1
CHIEVY CHASE

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

Stephen J. Wenthold



Meridian Surveys, Inc.
811 Russell Avenue
Suite #303
Galthersburg, MD 20879
(301) 721-9400

Previous Appeal

GEOFFREY B. BIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

BOARD OF MANAGERS
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BETSY STEPHENS
Assistant Treasurer
PETER M. YEO
Board Member
ROBERT L. JONES
Board Member

September 12, 2006

Mr. and Mrs. Robert Fossi
5600 Western Avenue
Chevy Chase, MD 20815

Dear Mr. and Mrs. Fossi:

As you are aware, your request for a variance to install fencing and gates on the Cedar Parkway side of your property has been approved by the Chevy Chase Village Board of Managers.

Pursuant to the Board's decision, Village Counsel will draft a written Decision for the Board to review. Once approved and signed by the Board Secretary, a copy of the decision will be mailed to you for your records.

The Village's Building Permit will not be issued until you have received a Fence Permit from the Montgomery County Department of Permitting Services. You may not install any of the aforementioned fencing or gates until all applicable permits from the Village and Montgomery County are received.

If you have any questions or require additional information, please contact the Village office at (301) 654-7300.

Sincerely,



Shana R. Davis-Cook
Manager of Administration
Chevy Chase Village

A-5089

- (a) Install a six-foot, six-inch (6'-6") high wrought iron fence measuring twenty-seven feet (27') in length along the property line abutting Cedar Parkway and measuring sixteen feet (16') in length between the front property line (Cedar Parkway) and the west wall of the house.
- (b) Install a wrought iron gate and columns, which would include lights, measuring six feet, six inches (6'-6") in height along the property line abutting Cedar Parkway, with an additional one foot (1') high rose trellis above the columns for a maximum height of seven feet, six inches (7'-6") forward of the twenty-five foot (25') front building restriction line.
- (c) Install a wrought iron gate measuring six feet, six inches (6'-6") in height between the west wall of the house and the property line abutting Cedar Parkway, forward of the twenty-five foot (25') front building restriction line.

Mr. and Mrs. Robert Fossi
5600 Western Avenue

5600 Western Avenue

A-5089 (a) and (b)
View from Cedar Parkway:



A-5089 (c)
View from Western Avenue:



DAVID R. PODOLSKY
ATTORNEY AT LAW
25 WEST MIDDLE LANE
ROCKVILLE, MARYLAND 20850
TELEPHONE (301) 340-2020
DIRECT (301) 838-3216
FACSIMILE (301) 424-7125
DIRECT FACSIMILE (301) 354-8116
EMAIL: dpodolsky@steinsperling.com

August 30, 2006

Of Counsel to: Stein, Sperling, Bennett
De Jong, Driscoll & Greenfeig, P.C.

Geoffrey Biddle, Village Manager
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, Maryland 20815

Dear Mr. Biddle:

Enclosed please find Information Reports for the
Becker/Jennings, Fossi, Kline and Coreth appeals. Please
circulate these among the members of the Board.

As always, if you have any questions or wish to discuss
any aspect of these matters, please do not hesitate to call.

Very truly yours,



David R. Podolsky

:ag
Enclosures

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**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11th day of September, 2006 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5089 (b)
MR. AND MRS. ROBERT FOSSI
5600 WESTERN AVENUE
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to install a wrought iron gate and columns, which would include lights, measuring six feet, six inches (6'-6") in height along the property line abutting Cedar Parkway, with an additional one foot (1') high rose trellis above the columns for a maximum height of seven feet, six inches (7'-6") forward of the twenty-five foot (25') front building restriction line.

The Chevy Chase Village Code § 8-22 (d) states:

No person shall construct any fence or wall at any location between the front lot line and the front building restriction line, which exceeds forty (48) inches in height.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday.

This notice was mailed to abutting property owners on the 30th day of August, 2006.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11th day of September, 2006 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5089 (c)
MR. AND MRS. ROBERT FOSSI
5600 WESTERN AVENUE
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to install a wrought iron gate measuring six feet, six inches (6'-6") in height between the west wall of the house and the property line abutting Cedar Parkway, forward of the twenty-five foot (25') front building restriction line.

The Chevy Chase Village Code § 8-22 (d) states:

No person shall construct any fence or wall at any location between the front lot line and the front building restriction line, which exceeds forty (48) inches in height.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday.

This notice was mailed to abutting property owners on the 30th day of August, 2006.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

MAILING LIST FOR APPEAL A-5089 (A), (B) &(C)

**MR. AND MRS. ROBERT FOSSI
5600 WESTERN AVENUE
CHEVY CHASE, MARYLAND 20815**

Adjoining and confronting property owners	
Mr. and Mrs. Tom A. Holmvik Or Current Resident 5604 Western Avenue Chevy Chase, MD 20815	Mr. David M. Glass Ms. Anne-Marie Lynch Or Current Resident 5500 Cedar Parkway Chevy Chase, MD 20815
Mr. Michael K. Byars Ms. Maureen F. Browne Or Current Resident 5510 Cedar Parkway Chevy Chase, MD 20815	Mr. and Mrs. Gary O. Cohen Or Current Resident 5511 Cedar Parkway Chevy Chase, MD 20815
Mr. and Mrs. D. Crisalli Or Current Resident 5601 Western Avenue, NW Washington, DC 20015	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 30th day of August, 2006.



**Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

GEOFFREY B. BIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

August 30, 2006

BOARD OF MANAGERS
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SUSIE EIG
Secretary
GAIL S. FELDMAN
Treasurer
BETSY STEPHENS
Assistant Treasurer
PETER M. YEO
Board Member
ROBERT L. JONES
Board Member

Mr. and Mrs. Robert Fossi
5600 Western Avenue
Chevy Chase, MD 20815

Dear Mr. and Mrs. Fossi:

Please note that your request for a variance to install fencing and gates on the Cedar Parkway side of your property has been scheduled before the Board of Managers on Monday, September 11, 2006 at 7:30 p.m.

Either you or a representative must be in attendance to present your case. At that time, you may introduce additional documents or provide testimony in support of your request.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing list. Please contact the Village office in advance if you will be unable to attend.

Sincerely,



Shana R. Davis-Cook
Manager of Administration
Chevy Chase Village

Enclosures

4/21/06

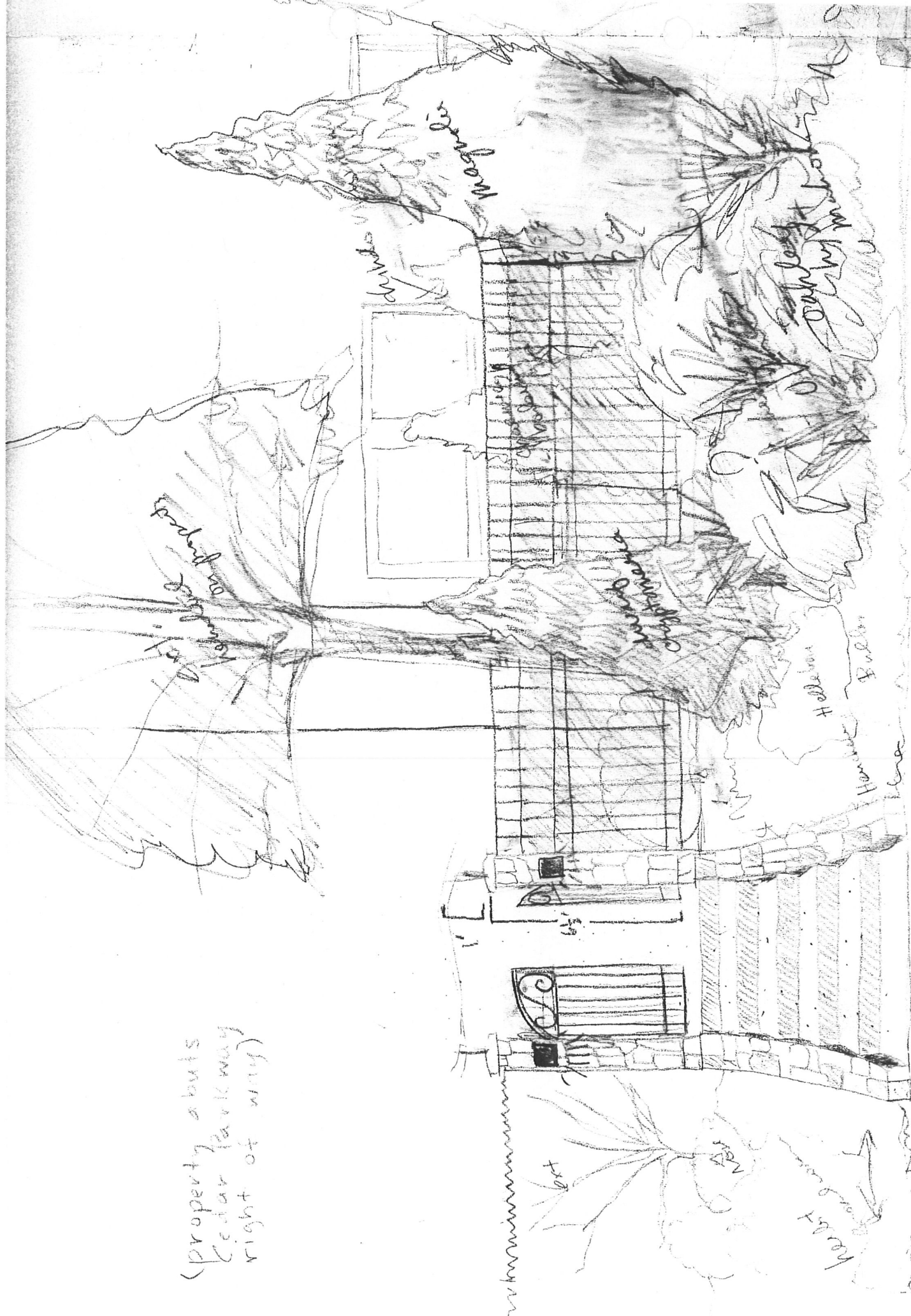
Dear Chevy Chase Village Board,

We have recently submitted a request for an allowance of up to two ^{and a half} additional feet of fence height on the side of our property at 5600 Western Avenue. It ^{would be} is a side and rear wrought iron fence, but is considered "front" due to facing Cedar Parkway. There are several factors that have made us decide, after much consideration of other options, that the taller privacy fence is the right way to go. We face Western on one side which is a busy street and Cedar Parkway on the other which is the busiest street in the Village. Currently our lot all around is very open, lacking fences and gates in every direction. We would like to make it possible to close off the rear from public access on occasion for reasons of security and privacy. We would also like to prevent cut through pedestrian traffic which has occurred on occasion from the alley through the property and to the front yard. We have four children, three at home, and two teenage daughters and would like to have a place on the property where they can feel secure to be outside and not in plain view of Western Avenue traffic. So to that end, we are completing the perimeter of the existing stockade fence. It was installed about five years ago and was minus gates and this front corner that we are requesting to complete. We plan to add a plant border to help with noise from the street and which will eventually mask the fence almost entirely. We also request to add a wrought iron gate at the side entrance. The gate should help a bit with alleviating the length of fence with a break. We would like to use two stone columns of about 12" square with lighting that would help light the very dark steps and the public sidewalk which is extremely dark at night. We hope that the addition of this lighting will help both with our security and with public safety and security in the vicinity. We have had several weekends when a car pulled into the dark area near the alley and, apparently feeling that under cover of the darkness they could argue, banter, drink or whatnot. We think lighting in this area would make the view from Western less appealing to those looking to be unseen for whatever reason and more safe for those who have good reason to be there.

As a gardener, I would very much like to install something to allow a climbing rose to arch over the gate, it would be about 7 ½ feet high and would be two arches substantial enough to guide a rose cane over and through. At first this feature might be noticeable but in time I think it would be entirely covered by the rose.

Thank you for your consideration of these matters both large and small.
Sincerely, Serena and Rob Fossi 5600 Western Avenue





(property abuts
Cedar Parkway
right of way)

magellan

larch

oak leaf
holly

hollibaugh

Hollibaugh

Hollibaugh

Hollibaugh

line

box

front
entrance

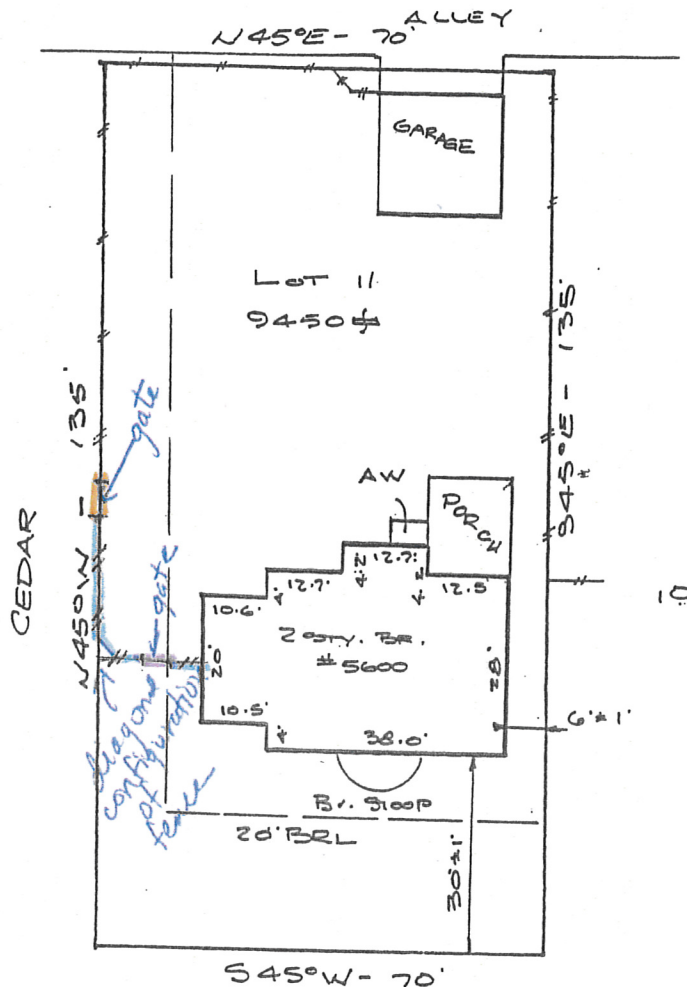
This is a proposal - some
or substitutions maybe

Sidewalk on Cedar Parkway



Key for A-5089:

- (a)
- (b)
- (c)



WESTERN AVENUE

[Signature]

[Signature]

No evidence of property corners was found. Apparent occupation is shown.

Date: 9-9-03 Scale: 1" = 30' Dmn: SJW
Plat Book: 4
Plat No.: 312 NO TITLE REPORT FURNISHED
Work Order: 03-4429
Address: 5600 WESTERN AVENUE
District: 7
Jurisdiction: MONTGOMERY COUNTY, MD

LOCATION DRAWING
LOT 11 BLOCK 1
SECTION 1
CREEVY CHASE

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

Surveyor's Certification

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. This property does not lie within a 100-year flood plain according to FEMA insurance maps as interpreted by the originator unless otherwise shown hereon. Building restriction lines shown are as per available information and are subject to the interpretation of the originator.

[Signature]



Meridian Surveys, Inc.
811 Russell Avenue
Suite #303
Galthersburg, MD 20879
(301) 721-9400

Approve

Deny

**Chevy Chase Village
Building Permit Application**Permit Number: **A-5089**

Date of Application:

08/03/2006**Personal Information**

Property Address

Robert Fossi
5600 Western Avenue

Resident/Homeowner Name

Phone

Contractor Information

Contractor's Name

Paulo Costas/Manuel Bartolo

Contractor's Phone

301-257-1951

Project Contact Person

Serena Fossi

MHI Licence Number

on request**Filing Requirements**

- ☐ A recent house location survey showing all existing and proposed structures.
- ☐ Construction plans and specifications. If trees that are twenty-four inches (24") in circumference or larger measured four feet six inches (4'6") above ground level are at risk of being disturbed during the construction, they must be shown on the submittal plans.
- ☐ Copy of stamped, approved Montgomery County drawings (if required). These drawings will remain on file at Chevy Chase Village.
- ☐ Copy of plans that show location of dumpster, portable sanitation facility, delivery zone and parking area.
- ☐ Copy of Covenants (if required).
- ☐ The filing fees for a Chevy Chase Village Building Permit are listed in Chapter 6 of the Village Code.
- ☐ Completed Building Permit Application and payment of filing fees.

The Village Manager will review the application and accompanying documents and, under most circumstances, will act on the building permit within 5 to 10 working days.

In the event the Montgomery County building permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the contractor, architect or other service provides associated with the permitted project shall be posted on the site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Building Code, the Montgomery County Zoning Code, the Village Tree Ordinance, and all applicable covenants on the above property.

Your Signature:

(type your full name)

Serena Fossi**Date:****08/03/2006****Exact Description of Construction Plans:**

Modest stone pillars built at side stairs facing Cedar Parkway of up to 6 1/2' height with a light built into the pillar that casts light down to stair and sidewalk. On top would be a rose trellis of up to 12" above the pillar to guide a rose over. Between pillars would be a garden gate with a maximum height of 6 1/2' at center. Finishing out the corner of the rear/side yard which is currently fenced with 6' stockade would be a maximum 6 1/2 foot tall wrought iron fence with a 48" gate in opening facing front yard. The fencing would enclose an area of approximately 27' long by 16' deep in the rear and side yard. The corner would be cut diagonally to soften the appearance of the corner. Current landscaping will mature to make fencing quite unobtrusive over time.

- ☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.
- ☐ Check here if a dumpster will be used (only permitted on private property). If so, applicant must file for a Village Dumpster Permit.

For use by HPC Only:

Historic Area Work Permit required? ☐ Yes ☐ No HPC Intials:

Parking Compliance:

☒ Yes ☐ No Is adequate on-site parking available for the construction crews?

If the answer is no, please provide a plan for parking which minimizes inconvenience to neighboring residents indicating if the property is in a permit parking area.

☐ Yes ☒ No Will road closings be required due to deliveries, equipment or other reasons?

Responsible Party:

☒ Yes ☐ No Will the residence be occupied during the construction project?

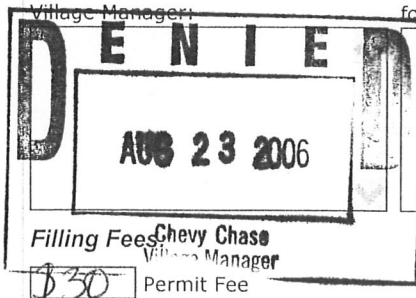
If no, please provide the name, address, business and after-hours phone number for the project manager or the party responsible for the construction site.

For Use By the
Village Manager:

Approved
with the following conditions:

For Use By the
Village Manager:

Denied
for the following reasons:



<input type="text"/>	Damage	Checks Payable to:
<input type="text"/>	Deposit	Chevy Chase Village
<input type="text"/>	Appeal Fee:	5906 Connecticut Avenue
<input type="text"/>	Tree	Chevy Chase, Maryland 20815
<input type="text"/>	Preservation Plan:	
<input type="text"/>	Total Fees &	Staff Signature:
<input type="text"/>	Deposit	Date:

All paid. *[Signature]* **03/08/2006**

Village Building Permit Charges:

Select Only the Highest fee that applies to your construction plans.

- ☐ **\$1500** New Non-Residential Construction
- ☐ **\$750** New Residential Construction
- ☐ **\$500** Swimming Pools and Tennis Courts
- ☐ **\$75** Outdoor Therapeutic Baths
- ☐ **\$75** Detached Garages
- ☐ **\$100** Other Accessory Structures
- ☐ **\$100** Demolition of Buildings Exterior Alterations
- ☐ **\$75** Modifications or Repairs to Residential Buildings (A) Footprint increased less than 200 square feet.
- ☐ **\$150** Exterior Alterations
- ☐ **\$50** Modifications or Repairs to Residential Buildings. (B) Footprint increased more than 200 square
- ☐ **\$50** Air Conditioning Compressors
- ☐ **\$30** Porches | Decks | Stoops
- ☐ **\$30** Patios | Fences | Walls | Sidewalks
- ☐ **\$50** Driveways
- ☐ **\$30** Curb Cuts
- ☐ **\$30** Play Equipment
- ☐ **\$100** Temporary Construction Access
- ☐ **\$50** Construction on Village Right-of-Way
- ☐ **\$30** Planting on Village Right-of-Way
- ☐ **\$100** Right-of-Way Use Agreement
- ☐ **\$250** Tree Preservation Plan; if required
- ☐ **\$30** All Other Construction or Work for Which a Building Permit is Required
- ☐ **\$250** Building Code Appeals (A) variance or special permit for new construction
- ☐ **\$100** Building Code Appeals (B) variance or special permit for replacing existing non-conformities
- ☒ **\$50** Building Code Appeals (C) appeal from a decision of the Village Manager

Submit My Application

Reset My Application

Copied from attached Building Permit Application submitted on the Village website from the Fossis of 5600 Western Avenue on August 3, 2006.

Modest stone pillars built at side stairs facing Cedar Parkway of up to 6 1/2' height with a light built into the pillar that casts light down to stair and sidewalk. On top would be a rose trellis of up to 12" above the pillar to guide a rose over.

Between pillars would be a garden gate with a maximum height of 6 1/2' at center.

Finishing out the corner of the rear/side yard which is currently fenced with 6' stockade would be a maximum 6 1/2 foot tall wrought iron fence with a 48" gate in opening facing front yard. The fencing would enclose an area of approximately 27' long by 16' deep in the rear and side yard. The corner would be cut diagonally to soften the appearance of the corner. Current landscaping will mature to make fencing quite unobtrusive over time. Request seeks increase in privacy, security and public safety in enclosed areas.